

THE CITY OF SAN DIEGO, CALIFORNIA  
MINUTES FOR REGULAR COUNCIL MEETING  
OF

MONDAY, MAY 15, 1989  
AT 2:00 P.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Deputy Mayor McCarty at 2:04 p.m.  
Deputy Mayor McCarty adjourned the meeting at 3:00 p.m. to meet in  
Closed Session at 9:00 a.m. on Tuesday, May 16, 1989, in the twelfth  
Floor Conference Room to discuss pending litigation.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-excused by R-273512  
(vacation)
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksmma-present
- (6) Council Member Henderson-not present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (rb)

19890515

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-not present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-not present
- (5) Council Member Struiksmma-present
- (6) Council Member Henderson-not present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Pastor Louia Gransee, North  
Park Community Christian Church.

FILE LOCATION: MINUTES

May-15-1989

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member  
Wolfsheimer.

FILE LOCATION: MINUTES

ITEM-30: (R-89-2163) ADOPTED AS RESOLUTION R-273445

Declaring May 15 through 21, 1989 to be "Safe Kids Week" in  
San Diego; calling upon all the residents of San Diego to  
join in supporting the aims, goals, and programs of the San  
Diego County Coalition to Prevent Childhood Injury, for the  
benefit of our City's most precious resource, its children.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A165-213.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Struiksma. Passed by  
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,  
Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea,  
Filner-yea, Mayor O'Connor-not present.

May-15-1989

ITEM-31: (R-89-2171) ADOPTED AS RESOLUTION R-273446

Proclaiming May 14-20, 1989 to be "National Historic  
Preservation Week" in San Diego, and encouraging all San  
Diegans to recognize and participate in the significance of  
this week.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A214-252.)

MOTION BY STRUIKSMA TO ADOPT. Second by Roberts. Passed by the  
following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,  
Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea,  
Filner-yea, Mayor O'Connor-not present.

May-15-1989

ITEM-32: APPROVED

Approval of Council Minutes for the Meetings of:

4/24/89

4/25/89

4/25/89 Special

5/03/89 Special

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A253-254.)

MOTION BY McCOLL TO APPROVE. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-50: (O-89-213) ADOPTED AS ORDINANCE O-17295 (New Series)

Amending Chapter II, Article 4 of the San Diego Municipal Code by amending Sections 24.0105, 24.1102 and 24.1103, relating to providing retirement benefits of the CERS Plans to general members from and after July 1, 1989, and other related matters; amending Section 24.0515 to delete workers compensation offset for general and legislative members effective July 1, 1989; amending Sections 24.0103 and 24.0201 relating to final compensation for general members and contributions; amending various sections in connection with the above changes to correct and clarify existing sections, provisions, and procedures.

(Introduced on 5/1/89. Council voted 7-0. District 2 and Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A286-296.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-51:

Two actions relative to amendments to the Purchasing Ordinance:

(Introduced on 5/1/89. Council voted 7-0. District 2 and Mayor not present.)

Subitem-A: (O-89-174) ADOPTED AS ORDINANCE O-17296 (New Series)

Amending Chapter II, Article 2, Division 5, of the San Diego Municipal Code by adding Section 22.0517, relating to the Purchasing Agent, to add a policy regarding the purchase and use of recycled products.

Subitem-B: (O-89-209) ADOPTED AS ORDINANCE O-17297 (New Series)

Amending Chapter II, Article 2, Division 5, of the San Diego Municipal Code by amending Sections 22.0504 and 22.0505, relating to the Purchasing Agent, to increase the monetary limit to make purchases without advertising for sealed bids from \$10,000 to \$20,000 in cases where written price quotations are requested from five or more potential sources of supply, and to increase the monetary limit to make purchases without Council approval from \$25,000 to \$50,000.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A286-296.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,  
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea,  
Mayor O'Connor-not present.

\* ITEM-52: (O-89-179 Rev. 2) ADOPTED AS ORDINANCE O-17298 (New Series)

Amending Chapter II, Article 6, of the San Diego Municipal Code, relating to the Commission for Arts and Culture, by adding Division 7; adding a division heading; renumbering Sections 26.07, 26.07.1, 26.07.2, 26.07.3 and 26.07.4; amending the heading of new Section 26.0707; and amending the text of new Sections 26.0703 and 26.0705, by requiring the Commission for Arts and Culture to make all funding recommendations to a workshop of the Committee of the Whole and then to the Public Services and Safety Committee, rather than taking them directly and exclusively to the full City Council.

(Introduced on 5/1/89. Council voted 5-3. Districts 1, 4 and 8 voted nay. Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A286-296.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Pratt. Passed by the following vote:

Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea,  
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea,  
Mayor O'Connor-not present.

\* ITEM-53: (O-89-165) ADOPTED AS ORDINANCE O-17299 (New Series)

Incorporating various properties within the College Area Community Plan Area in the City of San Diego, California, into the Community Plan Implementation Overlay Zone (CPIOZ), Institutional Overlay Zone (IOZ), Hillside Review Overlay Zone (HR), Open Space (OS-P), R1-40000, R1-5000, MR-3000, MR-1000, MR-800B, CL-1T, and CN Zones, as associated with an update of the 1974 State University Area Plan and with implementation of that update.  
(District-7. Introduced as amended on 5/2/89. Council voted 9-0.)

FILE LOCATION: LAND - COLLEGE AREA COMMUNITY PLAN

COUNCIL ACTION: (Tape location: A286-296.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,  
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea,  
Mayor O'Connor-not present.

\* ITEM-54: (O-89-55) ADOPTED AS ORDINANCE O-17300 (New Series)

Approving the Sorrento Hills Development Agreement between the City of San Diego and American Newland Associates, Harry G. Cooper, Sorrento Valley East Ltd., Sammis Properties, Douglas Allred Company, Andrew W. McReynolds, Christa McReynolds, Albert P. Graff and Marion R. Graff.  
(Case-88-0590. Sorrento Hills Community Area. District-1. Introduced on 5/2/89. Council voted 5-2. Districts 1 and 8 voted nay. District 2 and Mayor not present.)

FILE LOCATION: DEVL - SORRENTO HILLS DEVELOPMENT AGREEMENT

COUNCIL ACTION: (Tape location: A286-296.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Pratt. Passed by the following vote:

Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea,  
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-nay,  
Mayor O'Connor-not present.

\* ITEM-55: (O-89-201) ADOPTED AS ORDINANCE O-17301 (New Series)

Repealing Ordinance O-17201 (New Series) entitled "An Ordinance of the Council of the City of San Diego, Approving the Development Agreement between the City of San Diego and BCE Development, Inc."  
(Introduced on 5/1/89. Council voted 5-2. Districts 1 and

8 voted nay. District 2 and Mayor not present.)  
FILE LOCATION: DEVL - MIRAMAR RANCH NORTH DEVELOPMENT  
AGREEMENT

COUNCIL ACTION: (Tape location: A286-296.)  
CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.  
Second by Pratt. Passed by the following vote:  
Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea,  
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-nay,  
Mayor O'Connor-not present.

\* ITEM-100: (R-89-1973) ADOPTED AS RESOLUTION R-273447

Awarding a contract to Varian Associates, Inc.,  
Instrument Group for the purchase of one gas  
chromatograph, dual EC capillary, and accessories,  
including installation, warranty and technical support  
for an actual cost of \$53,044.10, including tax.  
(BID-0749/89)  
Aud. Cert. 8900921.

FILE LOCATION: MEET CONT FY89-1  
COUNCIL ACTION: (Tape location: A297-328.)  
CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by  
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,  
Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea,  
Filner-yea, Mayor O'Connor-not present.

\* ITEM-101: (R-89-1977) ADOPTED AS RESOLUTION R-273448

Awarding a contract to Scat Engineering Division of  
American Trencher, Inc., for lease with option to buy a  
Crawler Sludge Mixer/Blender/Aerator, as may be required  
for a period of one year beginning June 1, 1989 through May  
31, 1990, for an estimated first year cost of \$63,500, with  
options to renew the contract for four additional one year  
periods and options to buy the crawler at the end of each  
contract year. (BID-0520/89)

FILE LOCATION: MEET CONT FY89-1  
COUNCIL ACTION: (Tape location: A297-328.)  
CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by  
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,  
Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea,  
Filner-yea, Mayor O'Connor-not present.

\* ITEM-102: (R-89-1978) ADOPTED AS RESOLUTION R-273449

Accepting the low bid and awarding a contract to Sulzer Bingham Pumps Inc. for replacement parts for Worthington Brand Pumps at Pump Station 1 for a total cost of \$71,710.33, including sales tax. (BID-0542/89) (District-8.)

Aud. Cert. 8900934.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-103:

Two actions relative to the Installation of the Fifth Pump Assembly and the Purchase and Installation of the Sixth Pump Assembly at Metro Pump Station No. 1: (Harbor Community Area. District-8.)

Subitem-A: (R-89-1979) ADOPTED AS RESOLUTION R-273450

Inviting bids for the Pump Station No. 1 - Pump No. 2 and No. 5 Installation on Work Order No. 170321; authorizing the execution of a contract with the lowest responsible bidder; authorizing the City Manager to amend the Capital Improvements Program of the Sewer Revenue Fund CIP-41506, by combining the projects, Metropolitan Pump Station No. 1, 5th Pump (CIP-46-081.0) and Metropolitan Pump Station No. 1, 6th Pump (CIP-46-116.0) into a single project titled "Metropolitan Pump Station No. 1, 5th and 6th Pumps" (CIP-46-081.0); authorizing the City Auditor and Comptroller to consolidate the funding for Metropolitan Pump Station No. 1, 5th Pump (CIP-46-081.0) with a current budget allocation of \$2,002,775 and Metropolitan Pump Station No. 1, 6th Pump (CIP-46-116.0) with a current budget allocation of \$1,843,472 into a single project titled "Metropolitan Pump Station No. 1, 5th and 6th Pumps" (CIP-46-081.0) with a budget allocation of \$2,013,000 and to transfer excess budgeted funds of \$1,833,247, resulting from the consolidation of the CIP projects CIP-46-081.0 and CIP-46-116.0, within the Sewer Revenue Fund 41506, from the Metropolitan Wastewater Construction Program (70292) to the Unallocated Reserve (70697); authorizing the expenditure of funds not to exceed \$1,709,953 from Sewer Revenue Fund 41506, CIP-46-081, Metro Pump Station No. 1, 5th and 6th

Pumps, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0657/89)

Subitem-B: (R-89-1982) ADOPTED AS RESOLUTION R-273451

Authorizing the use of City Forces to do all the work to make connections and perform operational checks in connection with the above project; declaring that the cost of said work shall not exceed \$5,000.

CITY MANAGER SUPPORTING INFORMATION: Metro Pump Station No. 1 pumps sewage from the southern section of the City, Tijuana River Valley and the Southern Metro Agencies to Metro Pump Station No. 2, and subsequently to the Point Loma Treatment Plant. The pump station was constructed as part of the Metropolitan Sewerage System in 1963. The pump station's capacity consists of four 33,000 gpm pumps, with provision for two additional pumps. Three pumps are generally in operation and one is standby. Additional capacity is currently needed at Pump Station No. 1 due to projected flow increases. By prior City Council action, Engineering-Science was retained as the consultant for the fifth pump installation. Engineering studies determined that it would be more cost effective to accelerate the installation of the sixth pump at this time. Council approved the concept by amending the engineering studies agreement to include the sixth pump installation. This proposed action also provides for the combination of the separate budget allocations for the 5th and 6th pumps into a single project allocation.

Aud. Cert. 8900833.

WU-P-89-138.

FILE LOCATION: W.O. 170321 CONT FY89-1

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmay-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-104: (R-89-1976) ADOPTED AS RESOLUTION R-273452

19890515

Inviting bids for the Abandonment of Pump Station 31 and Construction of Alternate Gravity Sewer Main on Work Order No. 171451; authorizing the execution of a contract with



the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$278,920 from Sewer Revenue Fund 41506, Sewer Construction Outlay 70492, CIP-46-106, Annual Allocation - Pump Station Restorations, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0671/89)

(State University Community Area. District-7.)

**CITY MANAGER SUPPORTING INFORMATION:** Located near San Diego State University, Sewer Pump Station No. 31 serves a small 0.2 square mile area of residential homes and apartments and fraternity/sorority houses along Hardy Avenue, Lindo Paseo and Montezuma Boulevard. Having been in service for over 40 years, ever increasing electrical and mechanical equipment problems and associated maintenance costs have created a need to rehabilitate this aging pump station. Although the complete rehabilitation of the pump station is a feasible option (approximately \$380,000), an even more attractive alternative has been identified which will allow the pump station to be abandoned. This alternative includes the installation of an 8-inch diameter gravity sewer line (approximately 0.35 mile in length) from the site of Sewer Pump Station No. 31 on Hardy Avenue northerly to a connection with an existing 8-inch diameter gravity sewer line at 55th Street and Remington Road. This alternative will eliminate not only the otherwise normal annual maintenance costs associated with sewer pump stations, but will eliminate the ever increasing energy costs to run the equipment; a substantial savings in perpetual annual operation and maintenance costs will result.

Aud. Cert. 8900807.

WU-P-89-135.

**FILE LOCATION:** W.O. 171451 CONT - Arrieta Const. Inc.  
CONT FY89-1

**COUNCIL ACTION:** (Tape location: A297-328.)

**CONSENT MOTION BY McCOLL TO ADOPT.** Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-105: (R-89-1975) ADOPTED AS RESOLUTION R-273453

19890515

Inviting bids for Structural Repairs, Spanish Village,  
Balboa Park on Work Order No. 119373; authorizing the

execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$30,000 from Fund 102242, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0672/89)

(Balboa Park Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: This project will provide for the restoration of the columns at the south wall of Spanish Village. The present structure is deteriorated and requires repair.

Aud. Cert. 8900915.

FILE LOCATION:

W.O. 119373 CONT-Applied Waterproofing Technology, Inc.  
CONT FY89-1

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-106: (R-89-1974) ADOPTED AS RESOLUTION R-273454

19890515

Inviting bids for the Construction of Traffic Signal and Street Lighting Systems at Pomerado Road and Stone Canyon Road on Work Order No. 119170; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$101,450 (\$26,450 from Capital Outlay Fund 30245, CIP-61-002, Annual Allocation - New Traffic Signals and \$75,000 from Trust Fund 63002, Account No. 9022), for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0670/89)

(Rancho Bernardo Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Both Pomerado Road and Stone Canyon Road show marked increases in traffic volume in the past few years. This Capital Improvements Program Project will provide for the safe passage of emergency equipment, pedestrians and vehicles through the intersection. Design features include protected left-turn movements from Pomerado Road, and emergency vehicle preemption equipment. The City of Poway has contributed

\$25,000 toward construction of this project because one approach to this intersection is in Poway. Ralphs Grocery Company and Pacific Development Corporation have deposited \$50,000 for their portion of the traffic signal project as a condition of their development on the southwest corner of the intersection.

Aud. Cert. 8900882.

FILE LOCATION: W.O. 119170 CONT-Knox Electric, Inc. CONT FY89-1

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-107:

Two actions relative to the final subdivision map of Carmel Del Mar Neighborhood 5 Unit No. 10, a 76-lot subdivision located northwesterly of Carmel Valley Road and Carmel Country Road:  
(North City West Community Area. District-1.)

Subitem-A: (R-89-2130) ADOPTED AS RESOLUTION R-273455

Authorizing the execution of a Subdivision Improvement Agreement with Baldwin Building Contractors for the installation and completion of certain public improvements.

Subitem-B: (R-89-2129) ADOPTED AS RESOLUTION R-273456

Approving the final map.

FILE LOCATION: SUBD - CARMEL DEL MAR NEIGHBORHOOD 5 UNIT  
No. 10 CONT FY89-1

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-108:

Three actions relative to the final subdivision map of Scripps Eastview 3, a 175-lot subdivision located northeasterly of Spring Canyon Road and Cypress Canyon Park Drive:  
(Scripps Miramar Ranch Community Area. District-5.)

Subitem-A: (R-89-2127) ADOPTED AS RESOLUTION R-273457

Authorizing the execution of a Subdivision Improvement Agreement with ITEC Properties for the installation and completion of public improvements.

Subitem-B: (R-89-2126) ADOPTED AS RESOLUTION R-273458  
Approving the final map.

Subitem-C: (R-89-2128) ADOPTED AS RESOLUTION R-273459  
Approving the acceptance of a grant deed of ITEC Properties  
granting to the City Lots 174 and 175 of Scripps Eastview  
Unit No. 3.

FILE LOCATION: SUBITEM A&B: SUBD - SCRIPPS EASTVIEW 3;  
SUBITEM C: DEED F-4917 DEED FY89-1;  
CONT FY89-1

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by Pratt. Passed by  
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,  
Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea,  
Filner-yea, Mayor O'Connor-not present.

\* ITEM-109:

Two actions relative to the final subdivision map of Sun  
Ridge Vista Unit No. 2, a 1-lot subdivision located  
southeasterly of Rancho Penasquitos Boulevard and Azuaga  
Street:  
(Penasquitos East Community Area. District-1.)

Subitem-A: (R-89-2124) ADOPTED AS RESOLUTION R-273460  
Approving the final map.

Subitem-B: (R-89-2125) ADOPTED AS RESOLUTION R-273461  
Authorizing the execution of an agreement with Pardee  
Construction Company for the payment of fees.

FILE LOCATION: SUB - SUN RIDGE VISTA UNIT No. 2 CONT  
FY89-1

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by Pratt. Passed by  
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,  
Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea,  
Filner-yea, Mayor O'Connor-not present.

\* ITEM-110: (R-89-2110) ADOPTED AS RESOLUTION R-273462

A Resolution approved by the City Council in Closed Session

on Tuesday, April 18, 1989 by the following vote:  
Wolfsheimer-yea; Roberts-yea; McColl-not present; Pratt-not present; Struiksma-yea; Henderson-yea; McCarty-yea; Filner-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$25,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injury to Thelma Irene Kerr, (Superior Court Case No. 595748, Thelma Irene Kerr v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$25,000 made payable to Thelma Irene Kerr and her attorney, Robert M. Abel, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the personal injury claim of Thelma Kerr against the City of San Diego as a result of injuries sustained on June 13, 1987.

Aud. Cert. 8900902.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-111: (R-89-2121) ADOPTED AS RESOLUTION R-273463

A Resolution approved by the City Council in Closed Session on Tuesday, April 4, 1989 by the following vote:  
Wolfsheimer-yea; Roberts-yea; McColl-yea; Pratt-yea; Struiksma-yea; Henderson-yea; McCarty-yea; Filner-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$60,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to Ray Johnson (Superior Court Case No. 598416, Ray Johnson v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue two checks in the amounts of \$40,000 made payable to Ray Johnson and James Parziale, his attorney, and \$20,000 made payable to Transcontinental Insurance and Mark Susson, his attorney, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of any and all claims as a result of a traffic collision which occurred on October 21, 1987.

Aud. Cert. 8900930.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-112: (R-89-2106) ADOPTED AS RESOLUTION R-273464

Excusing Councilmember Abbe Wolfsheimer from attending the February 28, 1989 meeting of the Redevelopment Agency due to other City business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-113: (R-89-2107) ADOPTED AS RESOLUTION R-273465

Excusing Councilmember Abbe Wolfsheimer from attending the Special City Council meeting of April 25, 1989, due to other City business.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-114: (R-89-2115) ADOPTED AS RESOLUTION R-273466

Authorizing the execution of an agreement with Fraser Engineering, Inc. for engineering consultant services in connection with the restoration of Sewer Pump Stations 17 and 27; authorizing the expenditure of an amount not to exceed \$99,960 from the Sewer Revenue Fund, No. 41506, CIP-46-106.0, Annual Allocation for Pump Station Restorations, for the purpose of providing funds for the above agreement.

(La Jolla Shores and Pacific Beach Community Areas. Districts-1 and 6.)

CITY MANAGER SUPPORTING INFORMATION: Directive 8 of Addendum

No. 1 to Cease and Desist Order No. 87-89, by the Regional Water Quality Control Board (RWQCB), requires the City of San Diego to start design of a backup power supply for Sewer Pump Station No. 17 by June 1, 1989. This agreement is for engineering design services for Restoration of Sewer Pump Stations No. 17 and 27. Included in this agreement are the design of backup power supplies and ventilation systems at both pump stations and an evaluation of the flow capacity/structural expansion needs of Pump Station No. 27. We recommend that a consultant be contracted to design this project to comply with the Cease and Desist Order's construction schedule and provide the necessary electrical and mechanical expertise. A list of seven firms was provided to Water Utilities Department from the "Senior As-needed" list of consultants for civil engineering services, which were short-listed at the June 22, 1988 meeting of the Consultant Nominating Committee. Four of the firms declined to interview. The remaining three were interviewed in accordance with Council Policy 300-7. Fraser Engineering, Inc. was selected. The consultant's responsibilities include an alternate power source study, an expansion evaluation study (for Sewer Pump Station No. 27), the preparation of construction plans and specifications, a construction cost estimate, and construction support services. The subconsultants are Kanrad Engineering (MBE) for \$20,000.

Aud. Cert. 8900929.

WU-U-89-152.

FILE LOCATION: MEET CCONT FY89-1

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-115: (R-89-2098) ADOPTED AS RESOLUTION R-273467

Authorizing the execution of a second amendment to the agreement with James M. Montgomery, Consulting Engineers, Inc., for the additional construction support services to the Sewer Pump Station No. 64 Second Force Main Project; authorizing the expenditure of an amount not to exceed \$28,625 from the Sewer Revenue Fund (No. 41506) for the purpose of providing funds for the above services.

(Torrey Pines Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: The construction contract for the Sewer Pump Station No. 64 Second Force Main was

awarded in July 1987 and the construction work was completed in February 1988. A condition of the Mitigated Negative Declaration for the project mandated continuous archaeological monitoring and data recovery programs be provided by the City during the construction. Prior to conducting the monitoring of the trench excavation, the archaeological subconsultant for the project, WESTEC Services, Inc., was awarded a contract for a price ceiling of \$40,000 to monitor and analyze up to eight archaeological features, (i.e. fireplace hearths, burnt soil lens, shell lens, and ceramic vessels). During the course of the work, WESTEC actually discovered 30 features and thus is requesting additional funds to complete the analysis and provide the final report. Secondly, additional subconsultant services by PSG corrosion engineers are required for inspecting, testing, and activating a supplemental cathodic protection system for the force main, which will be installed by the contractor. This request in the amount of \$28,625 is for the Amendment No. 2 to the original agreement for the analysis of the additional features found beyond the original estimated agreement (\$24,600) and for the supplemental cathodic protection services (\$4,025). Aud. Cert. 8900914.

WU-U-89-099.

FILE LOCATION: MEET CCONT FY89-1

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-116:

Two actions relative to temporary water service with Otay Water District and Otay Rio Business Park:

Subitem-A: (R-89-2113) ADOPTED AS RESOLUTION R-273468

Authorizing the execution of an agreement with Otay Water District and Otay Rio Business Park, to provide temporary water services for a ten-year period for the development of an industrial park, commonly known as Otay Rio Business Park, within the City of Chula Vista.

Subitem-B: (R-89-2114) ADOPTED AS RESOLUTION R-273469

Adoption of a Resolution certifying that the information contained in Environmental Impact Report EIR-87-2, adopted by the Council of the City of Chula Vista as lead agency on



July 28, 1987, has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: This is an agreement between the City of San Diego (City), Otay Water District (OWD), and Otay Rio Business Park (Otay Rio), for the provision of temporary water service for a period of ten years to serve Otay Rio Business Park within the City of Chula Vista and in the OWD service area. This agreement also incorporates by reference, the "Agreement for Emergency Water Service", previously authorized by Council Resolution R-266525, for provision of emergency water service by OWD to the Otay Mesa area within the City. OWD has water facilities to serve the City's portion of Otay Mesa while the City water mains are located within the Otay Rio Project which can serve the project. Thus, this agreement will provide for an exchange of water by these two agencies. The City will furnish water to Otay Rio and OWD shall furnish replacement water on Otay Mesa to the City on a gallon to gallon basis concurrent, or as desired by the City. The replacement water to the City will be furnished at the connection previously authorized by the Agreement for Emergency Service on Otay Mesa. The delivery rates of water exchange between the City and OWD shall also conform to said previous emergency water service agreement. The cost of the new connection between the City's and OWD's water systems will be paid by the developer of Otay Rio. Under this agreement Otay Rio will also provide, at its expense, a study of both the City's and OWD's water supply systems serving the Otay Mesa area, and Otay Rio agrees to provide the City easements or right-of-way that may be required to construct new water facilities identified by the study at no cost to the City. Further, Otay Rio agrees to complete City water facilities which may be proposed within the property, provided the City is willing to reimburse Otay Rio for such construction costs via a subsequent participation agreement. WU-U-89-157.

FILE LOCATION: WATER - OTAY WATER DISTRICT AND OTAY RIO  
BUSINESS PARK CONT FY89-1

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-117: (R-89-2100) TRAILED TO TUESDAY, MAY 16, 1989, AT

2:00 P.M.

Authorizing the execution of a second amendment to the agreement with the City of Poway, for transportation of sewage flows from properties within the Beeler Creek Watershed of the City of San Diego to the new Pomerado Relief Trunk Sewer Extension.

(Scripps-Miramar Ranch Community Area. District-5.)

CITY MANAGER SUPPORTING INFORMATION: The Pomerado Relief Trunk Sewer Agreement of 1980 between the City of Poway and the City of San Diego allowed for San Diego's use of the Pomerado Outfall No. 1. The first amendment of said agreement allows for an extended use of the Pomerado Outfall No. 1. Subsequently the capacity of Pomerado Outfall No. 1 was reached and the Cities of Poway and San Diego have approved construction plans for a parallel main, referred to here as the Pomerado Relief Trunk Sewer Extension. Owners of Tentative Maps TM-87-0883 - Sunburst Scripps and TM-87-0884 - Scripps Eastview (the Scripps Tentative Maps) now desire to execute this second amendment to provide for transportation and metering of flows from the Scripps Tentative Maps through the City of Poway to the Pomerado Relief Trunk Sewer Extension. Per this second agreement, Poway will transport sewage from the properties subject to the Scripps Tentative Maps, and other properties within San Diego, through the Scripps Miramar Ranch Sewer in Poway, constructed by the owners of Scripps Tentative Maps, and through the new Pomerado Sewer, constructed by Poway, to the new Pomerado Relief Extension. For San Diego's use of the new Pomerado Sewer, property owners within the Beeler Creek watershed of San Diego shall pay a capacity charge to Poway in the amount set forth in the agreement. San Diego will also reimburse Poway for its share of administration, maintenance and operation expenses related to the Metering Station, the Scripps Miramar Ranch Sewer, and the New Pomerado Sewer. Such costs shall be paid from regular sewer service charges collected from benefitting properties in San Diego.

WU-U-89-145.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A329-435.)

MOTION BY ROBERTS TO TRAIL TO TUESDAY, MAY 16, 1989, FOR FURTHER REVIEW. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-118: (R-89-2099) ADOPTED AS RESOLUTION R-273470

Authorizing the execution of a sixth amendment to the Joint Powers Agreement with The Southern California Coastal Water Research Project Authority, to extend the agreement to June 30, 1990 and increase the maximum amount due annually; authorizing the expenditure of an amount not to exceed \$128,000 from the Sewer Revenue Fund (No. 41506) for the purpose of providing funds for the above sixth amendment.

CITY MANAGER SUPPORTING INFORMATION: This is a joint project which began in 1969 to study the interrelationships of treated wastewater discharges and the marine ecology for the purpose of ensuring protection and conservation of marine resources. The study areas have extended from the Mexican border to the Santa Barbara County line. Other participants to this agreement include the City of Los Angeles, County Sanitation District No. 1 of Orange County, County Sanitation District No. 2 of the Los Angeles County, and the City of Oxnard. This amendment extends the agreement one year to June 30, 1990 and increases the maximum amount due annually from the above signatory agencies from \$900,000 to \$1,000,000. Each agency will pay its proportionate share based on sewage flows. The amendment requires the Southern California Coastal Water Research Project Authority to provide annually a financial report to the signatory agencies indicating net funds and projecting the funds necessary to maintain and operate the research project for the forthcoming fiscal year.

Aud. Cert. 9000017.

WU-U-89-153.

FILE LOCATION: MEET CONT FY89-1

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-200: (O-89-218) TRAILED TO TUESDAY, MAY 16, 1989, AT 10:00 A.M.

Introduction of an Ordinance Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 1989-90.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A252-285.)

MOTION BY WOLFSHEIMER TO TRAIL TO TUESDAY, MAY 16, 1989, AT 10:00 A.M. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-201: CONTINUED TO MAY 22, 1989

(Continued from the meetings of April 10, 1989, Item 109, and April 17, 1989, Item S404; last continued at the City Manager's request, to resolve questions that have been raised regarding this matter.)

Two actions relative to amended agreements and time extension for Euclid Oaks:  
(Mid-City Community Area. District-3.)

Subitem-A: (R-89-1850)

Authorizing an amendment to the Subdivision Improvement Agreement for Euclid Oaks, Document No. RR-257218, to provide for the substitution of Avanti Development, Inc., for Allen Hall Development Corporation, as subdivider; declaring that the public improvements to be constructed pursuant to the subdivision agreement shall be completed by September 30, 1990.

Subitem-B: (R-89-1849)

Authorizing the execution of an amendment to the Subdivision Improvement Agreement for Euclid Oaks, Document No. RR-257090, to provide for the substitution of Avanti Development, Inc., for Allen Hall Development Corporation, as subdivider; declaring that the public improvements to be constructed pursuant to the subdivision agreement shall be completed by September 30, 1990; accepting Bond No. 113-21-01, issued by Explorer Insurance Company in the amount of \$128,000, as the surety for the required improvements in the subdivision; releasing Bond No. 2SM-563-692, issued by American Motorists Insurance Company, in the amount of \$100,143.

CITY MANAGER SUPPORTING INFORMATION: On September 13, 1982 and September 27, 1982, the City entered into agreements with Allen Hall Development Corporation for the construction of public improvements for Euclid Oaks subdivision (Document No. RR-257090) and the construction of and reimbursement for a 60-inch barrel culvert (Document No. RR-257218-1). The agreements expired on September 13, 1984 and September 27, 1984

respectively. On January 7, 1985 an extension of time was granted to September 13, 1985 by Resolution R-262257 within which to complete the improvements required by the Subdivision Improvement Agreement. The property is now owned by Avanti Development, Inc. The new owner has signed two amended agreements to assume all of the obligations of the original subdivider and complete the required work, as well as receive the reimbursement for the construction of the culvert as specified in the agreement approved by City Council Resolution R-257218. The amended agreements also provide for extensions of time to complete the work to September 30, 1990. The new subdivider has provided a performance bond in the amount of \$128,000 to assure the improvements required of the subdivision. The amended agreement and time extension are in accordance with Council Policy 600-21. It is recommended that the time extension be granted since the improvements to be delayed are not necessary to serve adjacent developments or the general public.

FILE LOCATION: SUBD - EUCLID OAKS CONT FY89-1

COUNCIL ACTION: (Tape location: A436-513.)

MOTION BY McCOLL TO CONTINUE ONE WEEK FOR FURTHER REVIEW OF THE DEVELOPER PLANS BY THE PLANNING DEPARTMENT AND THE CITY ATTORNEY'S OFFICE. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-202: (R-89-1791) ADOPTED AS RESOLUTION R-273471

(Continued from the meeting of April 3, 1989, Item 135, at Council Member McColl's request, for review by the Public Services and Safety Committee.)

Approving the City's Basic Emergency Plan, as required by San Diego Municipal Code, Section 51.0108.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A297-328.)

MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-203: (R-89-2227) ADOPTED AS RESOLUTION R-273472

Adoption of a Resolution authorizing the Auditor and Comptroller to transfer monies within the General Fund 100

and between other funds of the City of San Diego.  
(See City Manager Report CMR-89-228.)  
Aud. Cert. 8900952.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A297-328.)

MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-204: (R-89-1897) CONTINUED TO JUNE 12, 1989

(Continued from the meeting of April 17, 1989, Item 129, at Council Member Henderson's request, to discuss the matter with the parties concerned.)

Authorizing the execution of an agreement with Ferver Engineering Company for services in connection with the design of the Bayview Reservoir expansion; authorizing the expenditure of an amount not to exceed \$490,255 from the Water Revenue Fund (No. 41502), Expansion of Bayview Reservoir (CIP-73-236.0) for the purpose of providing funds for the above project.

(Pacific Beach Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: Bayview Reservoir is a 10-million-gallon concrete reservoir located at 1975 Parkview Terrace in the Pacific Beach Community area. Recent studies have indicated that additional storage is needed to meet the future demands of the Pacific Beach and La Jolla areas. In order to meet the projected future demands, this project will provide the demolition of the existing 10-million-gallon reservoir and the design and construction of a new 20-million gallon reservoir at the same site. Expansion of the reservoir is the least expensive alternative to provide additional storage in the area. This project was advertised in the San Diego Daily Transcript on May 20, 1988. The City's Consultant Nominating Committee reviewed sixteen letters of interest from qualified consultants and nominated four of them for final interviews. On July 25, 1988, the four finalists were interviewed, in conformance with Council Policy 300-7, by the Water Utilities Department. The Ferver Engineering Company was selected as the best qualified to provide the consultant services. The consultant will provide detailed plans, specifications and cost estimates for the reservoir expansion. Technical services during construction and a full-time inspector are also included in this contract. The subconsultants for this project are John

Powell and Associates, 22.4 percent, Kemp and Associates (WBE) 5.6 percent, Don Greek and Associates, 1.3 percent and Testing Services and Inspection, Inc. (MBE), 7.1 percent.

Aud. Cert. 8900831.

WU-U-89-119.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A252-285.)

MOTION BY WOLFSHEIMER TO CONTINUE TO JUNE 12, 1989, TO MEET WITH THE COMMUNITY AS REQUESTED BY COUNCIL MEMBER HENDERSON. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-205: (R-89-2181) CONTINUED TO MAY 22, 1989

Commending and accepting the generous offer of \$100,000 from Mr. Edward B. Romanow, Jr. of Westerra Pacific Associates to be used for child care development in the Eastgate Technology Park area; directing the City Manager to work with and negotiate ground lease terms for Lot 1 of Eastgate Technology Park and to return to Council within a 90 day period with recommendations on a course of action which will allow for an additional child care facility to be established in the Eastgate area.

(See City Manager Report CMR-89-225. University City Community Area. District-1.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A252-285.)

MOTION BY WOLFSHEIMER TO CONTINUE ONE WEEK TO CLARIFY TECHNICALITIES. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmayea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-206: (O-89-220) NOTED AND FILED

First public hearing in the matter of:

Amending Ordinance No. O-17122 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1988-89 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-17122-1, as amended and adopted therein, by transferring certain Gas Tax Funds to the General Fund.

NOTE: See Item 334 on the docket of Tuesday, May 16, 1989

for the introduction and adoption of the Ordinance.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A252-285.)

MOTION BY WOLFSHEIMER TO NOTE AND FILE AS REQUESTED BY THE CITY MANAGER. Second by Roberts. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,  
Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea,  
Mayor O'Connor-not present.

ITEM-S400: (R-89-2190) ADOPTED AS RESOLUTION R-273473

Proclaiming May 17, 1989 to be "Transit Appreciation Day"  
and encouraging all San Diegans to recognize the vital role  
of transit in our City.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A036-164.)

MOTION BY McCOLL TO ADOPT ITEMS S400 AND S401. Second by  
Struiksma. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not  
present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S401: (R-89-2228) ADOPTED AS RESOLUTION R-273444

Expressing sincere appreciation and gratitude to the  
Boating and Waterways Commission and Department of Boating  
and Waterways staff for their efforts in enhancing boating  
facilities in the San Diego area.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A036-164.)

MOTION BY McCOLL TO ADOPT ITEMS S400 AND S401. Second by  
Struiksma. Passed by the following vote: Wolfsheimer-yea,  
Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not  
present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-S402:

Two actions relative to the exclusive sale of City-owned  
land - Site 559:  
(See City Manager Report CMR-89-58. Clairemont Mesa  
Community Area. District-6.)

Subitem-A: (R-89-1476) ADOPTED AS RESOLUTION R-273474

Authorizing the sale by negotiation of Pueblo Lot 1210 of  
the Pueblo Lands of San Diego (Site 559) for the amount of  
\$75,000 to Clairemont Church of Christ; authorizing the



execution of a grant deed, granting to Clairemont Church of Christ the above property; declaring that no broker's commission shall be paid by the City of San Diego on the negotiated sale.

Subitem-B: (R-89-1477) ADOPTED AS RESOLUTION R-273475

Certifying that the information contained in Environmental Impact Report EIR-85-0854, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council; adopting findings made with respect to the feasibility of the mitigating measures, project alternatives and the statements of overriding considerations, if any, contained within Environmental Impact Report EIR-85-0854.

COMMITTEE ACTION: Reviewed by PFR on 5/10/89. Recommendation to approve the City Manager's recommendation to authorize the sale to the Clairemont Church of Christ for inclusion in its Canyon Villas senior housing project. Districts 1, 5, 6, 7 and 8 voted yea.

FILE LOCATION: DEED F-4918 DEED FY89-1

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-S403: (R-89-2167) ADOPTED AS RESOLUTION R-273476

Declaring that a public hearing will be conducted by the City Council on June 26, 1989 at 2:00 p.m. in the Council Chambers, for the purpose of considering the enactment of an ordinance which will provide for the merger of certain adjacent parcels of land which do not meet the size requirements of the zones in which the property is located; declaring that all interested persons will be heard at the public hearing; directing the City Clerk to publish notice of this hearing in a newspaper of general circulation in the City of San Diego one time at least 7 days prior to the date of the hearing.

PLANNING DEPARTMENT SUPPORTING INFORMATION: The California Subdivision Map Act requires adoption of a Resolution of Intent prior to consideration of an ordinance to provide for merger of certain adjacent parcels of land which do not meet the size requirements of the zones in which the property is located.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-S404: (R-89-2175) ADOPTED AS RESOLUTION R-273477

Resolution of Intention to vacate "C" Street between India Street and Kettner Boulevard and fixing a time and place for a public hearing.

(See City Manager Report CMR-89-227. Centre City Community Area. District-8.)

FILE LOCATION: STRT J-2719; DEED F-4919 DEED FY89-1

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-S405: (R-89-2219) ADOPTED AS RESOLUTION R-273478

Approving the proposed sale of the stock of San Diego Entertainment, Inc., the present operator of the San Diego Sports Arena, to San Diego Arena Corporation.

(Midway Community Area. District-2.)

CITY MANAGER SUPPORTING INFORMATION: Mr. Harry Cooper and Mr. Richard Esquinas are the principals in a newly formed corporation known as San Diego Arena Corporation (SDAC). SDAC has proposed to purchase the stock of San Diego Entertainment, Inc. (SDEI), the operating sublessee of the San Diego Sports Arena. A request has been made that the City Council approve the proposed transfer of stock. The City Manager recommends that the Council approve the proposed transfer of SDEI's stock to SDAC.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-S406: (R-89-2133) ADOPTED AS RESOLUTION R-273479

Expressing sincere appreciation and gratitude to Alvin Cushman for eight years of service on the Mission Valley Community Planning Group and exhibiting a rare standard of public service for and dedication to the future of San Diego.

(District-5.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

\* ITEM-S407: (R-89-2173) ADOPTED AS RESOLUTION R-273480

A Resolution approved by the City Council in Closed Session on Tuesday, May 2, 1989 by the following vote:

Wolfsheimer-yea; Roberts-yea; McColl-nay; Pratt-yea; Struiksma-not present; Henderson-yea; McCarty-yea; Filner-not present; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$125,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the personal injuries to Sarah Villani (Superior Court Case No. 522394, Sarah Villani v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the total amount of \$125,000 made payable to Sarah Villani and her attorney, Harvey Levine, in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of all claims against the City of San Diego by Sarah Villani as a result of the traffic collision on October 2, 1983.

Aud. Cert. 8900941.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A297-328.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

ITEM-S408: (R-89-2208) ADOPTED AS RESOLUTION R-273481

Authorizing the execution of a grant deed of any remaining City interest in the Physicians and Surgeons Hospital

property and facilities; authorizing the City Manager to execute a Settlement Agreement and Escrow Instructions between National Medical Enterprises, Inc., Community Hospital of San Diego, Inc. and the City of San Diego; authorizing the City Manager to execute a Restrictive Covenant between the City of San Diego, Nationwide Medical Systems, Inc., Christian Hospital of San Diego, Inc. and Community Hospital of San Diego.

FILE LOCATION: DEED F-4920 DEED FY89-1; CONT FY89-1

COUNCIL ACTION: (Tape location: A513-B031.)

MOTION BY PRATT TO SUSPEND THE RULES AND CONSIDER THE ITEM.

Second by Struiksma. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-not present.

NON-DOCKET ITEMS:

ITEM-ND-1: TRAILED TO TUESDAY, MAY 16, 1989

In the matter of the Telecommunication Request For Proposal.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: B036-140.)

MOTION BY ROBERTS TO APPROVE FOR DISCUSSION FOR THE COUNCIL MEETING OF MAY 16, 1989, THE MATTER OF SAN DIEGO DATA PROCESSING CORPORATION TO ENTER INTO A CONTRACT FOR THE AWARD OF THE TELEPHONE SYSTEM FOR THE CITY COUNCIL OFFICES. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-yea, Henderson-not present, McCarty-nay, Filner-yea, Mayor O'Connor-not present.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor McCarty at

3:00 p.m.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: B141-153).